

REMARKS

By this Amendment, claims 1-13 have been cancelled without prejudice or disclaimer and new claims 14-30 have been added to more fully claim the disclosed invention. Claims 14-30 are pending.

The cancellation of claims 1-13 renders moot the rejection of 1-3, 5-8, 10 and 11 under 35 U.S.C. §102(b) as being anticipated by Mizuno et al (JP 2001-163063; hereafter "Mizuno"), the rejection of claims 4 and 9 under 35 U.S.C. §103(a) as being unpatentable over Mizuno, the rejection of claim 12 under 35 U.S.C. §103(a) as being unpatentable over Mizuno and Margiott et al (U.S. 6,093,500; hereafter "Margiott"), and the rejection of claim 13 under 35 U.S.C. 103(a) as being unpatentable over Mizuno, Margiott and Iwasaki (U.S. 6,447,939).

However, Applicant submits that new claims 14-30 are patentable over the cited prior art, analyzed individually or in combination, because the cited prior art fails to disclose, teach or suggest all the features recited in the pending claims. For example, the cited prior art fails to teach or suggest an information processing apparatus structured to connect to a fuel cell unit including a fuel cell configured to generate power by chemical reaction and a sensor configured to sense a tilt of the fuel cell, and which is configured to be driven with power supplied from the fuel cell, the information processing apparatus comprising a controller to receive information indicative of the tilt of the fuel cell sensed by the sensor; and a processing unit to notify a user of information indicative of the tilt of the fuel cell received by the controller, as recited in the rejected claims.

Mizuno merely discloses controlling a motor bicycle in which a tilt-angle of a cell unit 10 is controlled to be in a predetermined condition, using a tilt sensor 30b (e.g., Figs. 1, 8, 9; paragraph 0041 and the like). However, Mizuno fails to teach or suggest receiving information indicative of the tilt of the fuel cell sensed by the sensor by an information processing apparatus and notifying a user of the information indicative of the tilt by the information processing apparatus. Accordingly, a user of the motor bicycle cannot comprehend a state (e.g., safety/warning/danger) of a fuel cell in the cell unit 10. Since the car controller 28 shown in Fig. 9 is a device dedicated to control a motor 25, it is impossible to notify (e.g., display) a user of information indicative of a tilt.

Further, Mizuno merely discloses outputting an alarm signal (i.e., giving a warning) (e.g., Fig. 10, paragraphs 0049-0052 and 0060). However, this warning indicates “a timer value exceed a threshold,” not indicating that a value of the tilt is larger than a threshold value.

Similarly, although the Office Action has alleged that Margiott teaches that a fuel cell may need to be shut down if a monitored parameter is outside of an acceptable range (col. 1, lines 40-42), Margiott’s disclosures fails to provide motivation to execute the shut-down “after a warning.” Consequently, neither Margiott nor Mizuno, analyzed individually or in combination, teach or suggest stopping an operation of the cell unit...after the warning (indicating that a value of the tilt is larger than a threshold value) is given, as recited in claim 29.

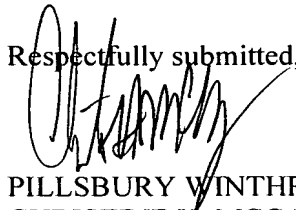
Moreover, although the Office Action asserted that Iwasaki teaches a battery (27) used to back up the fuel cell (col. 4, lines 10-11), Iwasaki fails to teach or suggest issuing a “warning” by driving the battery (27) “after the fuel cell stops operating.” Consequently, Iwasaki, Margiott, and Mizuno, analyzed individually or in combination, fail to teach or suggest giving the warning (indicating that a value of the tilt is larger than a threshold value) to a user by driving a secondary battery after the fuel cell stops operating, as recited in claim 30.

Accordingly, the pending claims are patentable over the cited prior art references of Mizuno, Margiott and Iwasaki. In view of the above amendments and remarks, Applicant respectfully submits that all the claims are allowable and that the entire application is in condition for allowance. Should the Examiner believe that anything further is desirable to place the application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

OZEKI -- Application No. 10/760,632
Attorney Docket: 008312-0307820

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,



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